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U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

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AUG 24 2005

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CLERK'S OFFICE

LORETTA G. WHYTE  
CLERK

DOCKET NO. 1657

*BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION*

*IN RE VIOXX PRODUCTS LIABILITY LITIGATION*

*(SEE ATTACHED SCHEDULE)*

**CONDITIONAL TRANSFER ORDER (CTO-22)**

On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 1,259 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the order of February 16, 2005, 360 F.Supp.2d 1352 (J.P.M.L. 2005), and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

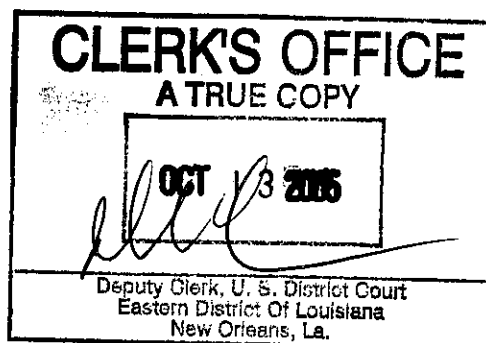
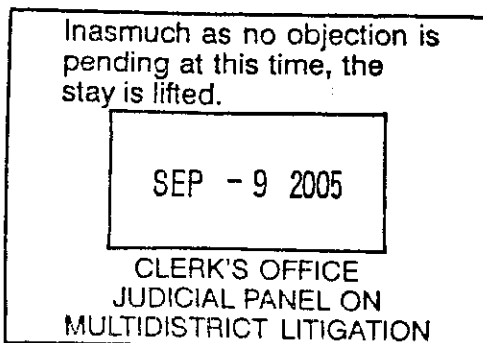
FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

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**SCHEDULE CTO-22 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX PRODUCTS LIABILITY LITIGATION**

*EDLA*  
*Sec 6/3*

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
<b>ALABAMA NORTHERN</b>		
ALN 2 05-1505	Bonnie Morrow v. Merck & Co., Inc.	
ALN 6 05-1512	Patricia Sutherland v. Merck & Co., Inc., et al.	<i>05-4593</i> <i>05-4594</i>
<b>ALABAMA SOUTHERN</b>		
<del>ALS 2 05-425</del>	<del>Marquerite Woods v. Merck &amp; Co., Inc., et al.</del> Opposed 9/9/05	
<b>ARKANSAS WESTERN</b>		
ARW 6 05-6052	Betty Featherston, et al. v. Merck & Co., Inc.	<i>05-4595</i>
<b>CALIFORNIA NORTHERN</b>		
CAN 3 05-2881	Peggy Johnson v. Merck & Co., Inc., et al.	
CAN 3 05-2894	David McArthur v. Merck & Co., Inc.	<i>05-4596</i> <i>05-4597</i>
<b>FLORIDA MIDDLE</b>		
FLM 3 05-683	Carol Lee Watkins v. Merck & Co., Inc.	
FLM 3 05-684	Brenda Schneble v. Merck & Co., Inc.	<i>05-4598</i>
FLM 3 05-685	Jacqueline Silva, etc. v. Merck & Co., Inc., et al.	<i>05-4599</i>
FLM 3 05-686	Ann Danziger, et al. v. Merck & Co., Inc., et al.	<i>05-4600</i> <i>05-4601</i>
<b>FLORIDA SOUTHERN</b>		
FLS 9 05-80662	Alice Thomashefski v. Merck & Co., Inc.	<i>05-4602</i>
<b>ILLINOIS NORTHERN</b>		
<del>ILN 1 05-4103</del>	<del>Norbert Cipowski, etc. v. Merck &amp; Co., Inc., et al.</del> Opposed 9/8/05	
<b>ILLINOIS SOUTHERN</b>		
ILS 3 05-508	Betty Herrick v. Merck & Co., Inc.	<i>05-4603</i>
<b>KENTUCKY WESTERN</b>		
KYW 1 05-100	Sharron Haynes v. Merck & Co., Inc.	<i>05-4604</i>
<b>LOUISIANA MIDDLE</b>		
LAM 3 05-965	Aujest Cheramie v. Merck & Co., Inc.	<i>05-4605</i>
<b>MAINE</b>		
ME 1 05-111	Carol Lally v. Merck & Co., Inc.	<i>05-4606</i>
<b>MINNESOTA</b>		
MN 0 05-1407	John Utke v. Merck & Co., Inc.	
MN 0 05-1466	Connie S. Bell v. Merck & Co., Inc.	<i>05-4607</i>
MN 0 05-1475	Elizabeth M. Skofich v. Merck & Co., Inc.	<i>05-4608</i>
MN 0 05-1534	Marjorie J. Savoie v. Merck & Co., Inc.	<i>05-4609</i> <i>05-4610</i>
<b>MISSOURI EASTERN</b>		
MOE 4 05-1129	Geraldine Moore, et al. v. Merck & Co., Inc., et al.	
MOE 4 05-1161	John Fischer v. Merck & Co., Inc.	<i>05-4611</i>
MOE 4 05-1164	Robert O'Conner v. Merck & Co., Inc.	<i>05-4612</i> <i>05-4613</i>

## SCHEDULE CTO-22 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
MISSISSIPPI NORTHERN MSN 1 05-176	Dora Prince v. Merck & Co., Inc.	EDLA SEC. 4/3 05-4614
MISSISSIPPI SOUTHERN MSS 3 05-435	Kathy DeKay, et al. v. Merck & Co., Inc.	05-4615
MONTANA MT 2 05-47	Stanley Hanson, et al. v. Merck & Co., Inc.	05-4616
NORTH CAROLINA EASTERN NCE 7 05-138	Daisy Stevens v. Merck & Co., Inc.	05-4617
NEBRASKA NE 8 05-361	Terry Price v. Merck & Co., Inc.	05-4618
NEW MEXICO NM 1 05-597	Kirk Bailey, etc. v. Merck & Co., Inc.	05-4619
NEW YORK EASTERN NYE 1 05-3336 NYE 1 05-3337 NYE 1 05-3391	Teresa Binkowska v. Merck & Co., Inc. Anna Lambropoulos, et al v. Merck & Co., Inc. Mark Bergman v. Merck & Co., Inc., et al.	05-4620 05-4621 05-4622
NEW YORK SOUTHERN NYS 1 05-6630	Gene Stein v. Merck & Co., Inc.	05-4623
OHIO NORTHERN OHN 4 05-1512	Frank W. Bodak, et al. v. Merck & Co., Inc.	05-4624
OHIO SOUTHERN OHS 2 05-648 OHS 2 05-680 OHS 2 05-694	Glenna M. Moyer, et al. v. Merck & Co., Inc. Thomas Holowitz v. Merck & Co., Inc. Kathy Melvin-Knodel, etc. v. Merck & Co., Inc.	05-4625 05-4626 05-4627
OREGON OR 3 05-1105	Robert Kanable v. Merck & Co., Inc.	05-4628
PENNSYLVANIA EASTERN PAE 2 05-3560 PAE 2 05-3681 PAE 2 05-3684 PAE 2 05-3693 PAE 2 05-3696 PAE 2 05-3740 PAE 2 05-3773 PAE 2 05-3832	Louis LaPila, et al. v. Merck & Co., Inc., et al. Linda Gates, et al. v. Merck & Co., Inc. Richard M. Armour, et al. v. Merck & Co., Inc. Diana M. Trakimas v. Merck & Co., Inc. Karen S. Krout, et al. v. Merck & Co., Inc. Milo Magnan, et al. v. Merck & Co., Inc., et al. Sharon McClinton Jones, etc. v. Merck & Co., Inc., et al. Barbara Salyers v. Merck & Co., Inc., et al.	05-4629 05-4630 05-4631 05-4632 05-4633 05-4634 05-4635 05-4636
PENNSYLVANIA WESTERN PAW 3 05-306	Donald Graham, Sr., etc. v. Merck & Co., Inc.	05-4637
RHODE ISLAND RI 1 05-325	Shirley Asan v. Merck & Co., Inc.	05-4638

## SCHEDULE CTO-22 TAG-ALONG ACTIONS (MDL-1657)

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<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>	
<b>TENNESSEE WESTERN</b>		
TNW 1 05-1168	John J. Stockton, et al. v. Merck & Co., Inc.	EDLA
TNW 1 05-1209	LeRoyce Wallace, et al. v. Merck & Co., Inc., et al.	SEC 6/3
TNW 1 05-1210	Tilda N. Simmons v. Merck & Co., Inc., et al.	05-4639
TNW 1 05-1211	James H. Oliver, et al. v. Merck & Co., Inc., et al.	05-4640
TNW 2 05-2534	Edmund Raines v. Merck & Co., Inc., et al.	05-4641
		05-4642
		05-4643
<b>TEXAS EASTERN</b>		
TXE 2 05-335	Larry G. Burdett, et al. v. Merck & Co., Inc., et al.	05-4644
TXE 2 05-336	Charleen R. Hranicky, et al. v. Merck & Co., Inc., et al.	05-4645
<b>TEXAS SOUTHERN</b>		
<del>TXS 1 05-210</del>	<del>Jackie Roberts, etc. v. Juan Marcos Garcia, M.D., et al. Opposed 9/8/05</del>	
TXS 4 05-2556	John O'Neill, et al. v. Merck & Co., Inc.	05-4646
<b>TEXAS WESTERN</b>		
TXW 1 05-531	Ronald D. Boyd, et al. v. Merck & Co., Inc.	05-4647
TXW 1 05-540	Marilyn J. Walters v. Merck & Co., Inc.	05-4648
TXW 3 05-270	Martin Galindez v. Merck & Co., Inc.	05-4649
<b>WASHINGTON EASTERN</b>		
WAE 2 05-221	John Stephen Moore, et al. v. Merck & Co., Inc.	05-4650

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